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Express Mail Label No. EV 873 102 807 US  
Date of Deposit: February 14, 2007

Attorney Docket No.: 34414-506

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Melchiore Tripoli III Art Unit: 2615  
Application Serial No.: 10/053,096 Examiner: Xu Mei  
Patent Serial No.: 7,177,434 Conf. No: 1835  
Filed: January 18, 2002 Customer No: 35437  
Title: **STEPPED SOUND PRODUCING MODULE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CORRECTION OF ERROR IN SMALL ENTITY STATUS  
AND PAYMENT OF DEFICIENCY OWED ACCORDING TO 37 C.F.R. § 1.28(c)(2)**

Dear Sir:

1. Applicants hereby state that the status of Application Serial Number 10/053,096, issued as U.S. Patent No. 7,177,434 is now other than a small entity.

2. On June 7, 2006, Applicants filed a response to the December 7, 2005 Final Office Action in this application. Along with the response, Applicants enclosed a petition to extend time by three months to submit a response along with a check no. 3243 for \$510.00.

3. On December 20, 2006, Applicants filed an issue fee payment in this application. Along with the payment, a form PTOL-85B and a check no. 3543 for \$1,009.00 (including \$700.00 for issue fee, \$300.00 for publication fee, and \$9.00 for three advance copies of the patent) were submitted.

4. Applicants respectfully submit that the small entity status of this application was established in good faith when this application was filed with the U.S. Patent and Trademark

Office on January 18, 2002. Further, all small entity fees, including the June 7, 2006 extension of time fee and December 20, 2006 issue fee were paid in good faith.

5. As of November 15, 2005, the small entity status of this application was no longer applicable.

6. Applicants respectfully submit that the payment of the June 7, 2006 extension of time fee and the December 20, 2006 issue fee in accordance with small entity provisions was an inadvertent error.

7. Applicants submit herewith:

- (a) An itemization of the fee deficiency owed pursuant to 37 CFR § 1.28(c)(2)(ii); and
- (b) Check No. 3619 in the amount of \$1210.00 to pay the fee deficiency.

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at (212) 935-3000, New York, New York.

The Commissioner is hereby authorized charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. **50-0311**, Reference No. **34414-506**, Customer No. **35437**.

Dated: February 14, 2007

Respectfully submitted,



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**CALCULATION OF DEFICIENCY OWED AND ITEMIZATION OF THE  
DEFICIENCY OWED PURSUANT TO 37 C.F.R. § 1.28(c)(2)**

Dear Sir:

Applicants submit herewith a calculation of deficiency owed and itemization of the  
deficiency owed pursuant to 37 CFR § 1.28(c)(2)(ii):

Fee/Date paid	Amount Actually Paid	Correct Fee	Deficiency Amount Owed
Three-month extension of time to submit a response to the December 7, 2005 Final Office Action, as paid on June 7, 2006	\$510.00	\$1,020.00	\$510.00
Issue fee, as paid on December 20, 2006	\$700.00	\$1,400.00	\$700.00
Total Amount Owed			\$1,210.00

Adjustment date: 02/16/2007 SLUANG1  
06/09/2006 WASFAW1 00000004 10053096  
01 FC:2253 -510.00 OP

02/16/2007 SLUANG1 00000004 10053096  
01 FC:1253 1020.00 OP

Adjustment date: 02/20/2007 SLUANG2  
12/21/2006 EAYALEW2 00000071 10053096  
01 FC:2501 -700.00 OP

02/20/2007 SLUANG2 00000001 10053096  
01 FC:1501 1400.00 OP

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at (212) 935-3000, New York, New York.

The Commissioner is hereby authorized charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. **50-0311**, Reference No. **34414-506**, Customer No. **35437**.

Dated: February 14, 2007

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**TRANSMITTAL LETTER**

Transmitted herewith for filing in the above-identified patent application are the following documents:

1. Correction of Error in Small Entity Status and Payment of Deficiency Owed  
According to 37 C.F.R. § 1.28(c)(2) (2 pages);
2. Calculation of Deficiency Owed and Itemization of the Deficiency Owed  
Pursuant to 37 C.F.R. § 1.28(c)(2) (2 pages);
3. Check No. 3619 in the amount of \$1,210.00 (deficiency fee); and
4. Return postcard.

Dated: February 14, 2007

Respectfully submitted,

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Richard M. Lehrer, Reg. No. 38,536  
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